

COASTAL CONSERVANCY

Staff Recommendation
May 19, 2011

SEASIDE BEACH AND HERITAGE TRAIL OPERATIONS & MAINTENANCE

Project No. 01-086-03
Project Manager: Joel Gerwein

RECOMMENDED ACTION: Authorization to disburse up to \$22,000 to the Coastal Land Trust for the operation and maintenance of Seaside Beach and the Heritage Trail in Mendocino County.

LOCATION: Seaside Beach, just north of Ten Mile River, north of the City of Fort Bragg, and Heritage Trail, just north of Albion, in Mendocino County (Exhibit 1)

PROGRAM CATEGORY: Public Access

EXHIBITS

Exhibit 1: [Project Location](#)

Exhibit 2: [Site Photographs](#)

Exhibit 3: Project Letters

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400 et seq. of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement to the Coastal Land Trust (CoLT) of an amount not to exceed twenty two thousand dollars (\$22,000) to operate and maintain property for public use at Seaside Beach and Heritage Trail, as described in the accompanying staff recommendation. This authorization is subject to the following condition:

Prior to the disbursement of any funds, CoLT shall submit for the review and approval of the Executive Officer of the Conservancy:

- a. A work program, budget, schedule, and the names of any contractors to be employed in carrying out the project.
- b. Evidence that all necessary permits and approvals have been obtained.

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
 2. The proposed project is consistent with the purposes and criteria set forth in Chapter 9 of Division 21 (§§31400-31409) of the Public Resources Code.
 3. The proposed project will serve greater than local needs.
 4. The Coastal Land Trust is a private nonprofit organization existing under the provisions of Section 501(c)(3) of the U.S. Internal Revenue Code, and its purposes are consistent with Division 21 of the Public Resources Code.”
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PROJECT SUMMARY:

Staff recommends that the Conservancy authorize disbursement of up to twenty two thousand dollars (\$22,000) to the Coastal Land Trust (CoLT) to operate and maintain Seaside Beach and Heritage Trail in Mendocino County for public access and resource enhancement over a period of two years. Seaside Beach is located north of Fort Bragg, adjacent to MacKerricher State Park, and is a link in the California Coastal Trail. Seaside Beach consists of a sandy beach and low bluff west of Highway One and approximately 6 acres of wetlands and meadow east of Highway One (Exhibit 2). There are parking spaces on the property on both sides of Highway One. Seaside Creek runs along the north side of the property. Seaside Beach is an extremely popular family beach and provides the primary beach for the communities of Inglenook, Ocean Meadows, and Westport. It is also used by visitors from all of California and the U.S. and world. It is estimated that 175,000 visitors per year use Seaside Beach.

Heritage Trail provides access from Highway One through Dark Gulch to a small beach located approximately one mile north of the town of Albion. There is parking for four cars along the highway. The trail is approximately 500 feet in length. The trail makes a relatively steep descent from the highway to the beach, and includes a wooden staircase and boardwalk that are in need of repair (Exhibit 2).

As a very small land trust, CoLT is requesting funds for the continued operation and maintenance of Seaside Beach and the Heritage Trail. These funds would pay for routine monitoring/patrolling of the sites, installation of temporary restroom facilities at Seaside Beach during the summer months when beach usage is high, sign replacement, trail maintenance, volunteer management, invasives control, and revegetation work. The funds would also pay for maintenance of the Heritage Trail, for repair of the stairs and boardwalk that are part of the trail, and for purchase and installation of signs identifying the trail and providing information regarding management responsibility and directing users to stay on the trail.

The area of Seaside Beach east of Highway One has been invaded by Himalayan blackberry, tansy ragwort, vinca, exotic thistle species, cape daisy, and other invasive plants. The upland areas adjacent to the highway at the south end of the beach have recently been invaded with iceplant from the subdivision next door. Two areas of rapid iceplant growth need to be contained to protect the native plant resources on the land trust property, including an occurrence of mapleleaf checkerbloom (*Sidalcea malachroides*), which is on the California Native Plant Society’s watchlist (Rare Plant Rank 4.2). Iceplant will be replaced by native plants after

removal.

There are no restrooms within four miles of Seaside Beach, with the closest facility at MacKerricher State Park. Consequently, there is a need for basic restrooms to serve day visitors and hikers. The proposed project includes the placement of portable restrooms for six months from May to October.

Three access trails from Highway One to the beach, totaling approximately 300 feet, will be cleared and maintained. The area adjacent to the small parking lot west of Highway One serves as the main access point and will be mowed, weeded and planted by CoLT volunteers.

In addition, the proposed project includes replacing and maintaining usage signs. CoLT allows fires on the sandy beach area and leash-free dogs, so signage to promote fire safety and dog etiquette is needed. However, vandals have destroyed CoLT's signage on several occasions and therefore sign maintenance and replacement is necessary.

CoLT recently completed a project to plan parking improvements, and enhance natural resources at Seaside Beach, partially funded by the Conservancy. Tasks completed as part of that project are as follows:

- Installation of a rock barrier and locked gate to prevent frequent driving on the beach as protection for the endangered snowy plover;
- Design and permitting of parking improvements along Highway 1;
- Removal of Japanese knotweed from the hillside above the meadow area, and removal of other invasive species, such as periwinkle, from the beach, bluff face, and wetland area in cooperation with the California Conservation Corps;
- Preparation and partial implementation of a revegetation plan;
- Repair of fencing around the wetland and riparian areas to prevent access by cattle and discourage access by the public to neighboring properties for hunting
- Design and installation of interpretive panels for the property and installation of safety and informational signs

CoLT plans to construct the parking improvements that were designed and permitted as part of that project after completion of a Caltrans project that will affect Seaside Beach. Caltrans is planning to start a major road repair project in 2012 that will modify Highway One in the vicinity of Seaside Beach. The project includes the construction of an engineered retaining wall on the Seaside Beach property to the east of Highway One. The retaining wall construction will adversely impact native vegetation that was present at the site when it was acquired. Changes in the alignment of Highway One may also impact parking areas and trails, but the exact location of the highway has not been finalized. CoLT has been coordinating with Caltrans to ensure protection of the bluffs, wetlands and beach during this project. At this time, the extent of impacts of the Caltrans project and the mitigation measures are still unclear. Conservancy staff is continuing to discuss potential impacts and mitigation with Caltrans to ensure that natural areas that were acquired and restored with bond funding will not be impacted unnecessarily and without appropriate mitigation.

The Heritage Trail was maintained as a public trail by the Heritage House, a privately owned inn,

until the inn closed in 2009. CoLT accepted an offer to dedicate the access easement in 2010 and has prepared a trail management plan approved by the California Coastal Commission. CoLT will clear brush along the trail alignment and maintain the trail tread, and the staircase and boardwalk will be repaired and evaluated for future improvements. Forty feet of fence will be added where none is currently in place, and signs will be installed, as noted above.

Site Description: Seaside Beach lies 10 miles north of Fort Bragg, CA, in a gulch formed by Seaside Creek in the adjoining marine terrace. The property west of Highway 1 is primarily open sandy beach, with a small dune complex at the south boundary. East of the highway, the property opens into a wetland complex (also known as Seaside Meadow) with Seaside Creek on the north boundary. Freshwater wetlands cover most of the floodplain, and a small brackish marsh forms on the west.

The dirt parking lot on the west side of Highway One has a capacity of 12 cars. There is parking for an additional 10 cars in a pullout east of Highway One, and for an additional four cars in a pullout south of the dirt parking lot.

Heritage Trail provides access from Highway One through Dark Gulch to a small beach located approximately one mile north of the town of Albion. There is parking for four cars along the highway. The trail is approximately 500 feet in length.

Project History: Most of Seaside Beach west of Highway 1 was donated to CoLT in 1997. In September 1998, the Conservancy authorized disbursement of \$26,000 to CoLT for a pre-acquisition/parcel analysis of additional open space in the Seaside Beach area, as well as funds for the planning and management of improvements at Seaside Beach. When it became clear that a sliver of the sandy beach area between Highway 1 and the donated beach property west of the highway remained in private ownership, CoLT focused on acquiring that property, known as the “Smith Parcel”, which includes approximately 6 acres east of Highway One. In August 2001, the Conservancy authorized \$180,000 for the acquisition of the Smith Parcel because of its environmental, biological, scenic, and multi-use characteristics. In 2007, the Conservancy authorized \$135,000 for natural resource and access enhancements at Seaside Beach, as described above.

PROJECT FINANCING

Coastal Conservancy	22,000
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Total Project Costs	22,000
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The anticipated source of Conservancy funds for maintenance is the Coastal Access Account, established by Public Resources Code section 30620.2. Funds in this account are specifically available for grants to nonprofit organizations for the development, maintenance and operation of new or existing facilities that provide public access to the shoreline of the sea. Thus, CoLT’s proposed operation and maintenance of Seaside Beach, which provides public access to the shoreline of the sea, is an appropriate use of these funds.

CoLT will provide an in-kind contribution to the project through monthly volunteer workdays.

The value of volunteer hours over the two year term of this grant is expected to be approximately \$6,720 (16 volunteer hours per month for two years at \$17.50 per hour).

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project would be undertaken pursuant to and is consistent with the Conservancy's enabling legislation, Division 21 of the Public Resources Code, specifically Chapter 9 (Sections 31400-31409) pertaining to public access to and along the coast.

Section 31400 of the Public Resources Code declares the state policy that the right of the public to access and enjoyment of coastal resources should be effectively guaranteed, and states the Legislature's intent that the Conservancy have a principal role in implementing a system of public accessways to and along the state's coastline. In the proposed project, the Conservancy will fund operation and maintenance of coastal resources and accessways at Seaside Beach, including a segment of the California Coastal Trail. The proposed funding authorization thus furthers the purposes of §31400.

Section 31400.1 authorizes the Conservancy to award grants to nonprofit organizations to develop, operate or manage lands for public access purposes to and along the coast. In addition, section 31400.3 enables the Conservancy to provide such assistance as is required to aid nonprofit organizations in establishing a system of public coastal accessways, and related functions necessary to meet the objectives of Division 21. The proposed project is consistent with both of these sections because it will allow CoLT to operate and manage Seaside Beach for public access to and along the coast.

The proposed project also incorporates the restoration of natural resources, consistent with the objectives of Chapter 6 of Division 21 (Sections 31251-31270) pertaining to coastal resource enhancement. Under Section 31251, the Conservancy may award grants for the purpose of enhancement of coastal resources that, because of natural or human-induced events, have suffered loss of natural and scenic values. The proposed project will remove invasive plants from the project area, and revegetate with natives to improve dune, riparian and wetland habitats that have been degraded by agricultural land uses and inappropriate public use. These natural resources are designated for protection and enhancement by the Mendocino County Local Coastal Plan (LCP), as follows. The LCP, which was certified in 1985, identifies wetlands, riparian areas, and dunes as Environmentally Sensitive Habitat Areas (page 41), and states that "the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes...shall be maintained and, where feasible, restored..." (page 35). The LCP states that the wetlands at Seaside Creek are among the most significant in the County in terms of size, variety, and vulnerability to disruption (Page 44). The LCP states that "This Local Coastal Plan represents the commitment of the County of Mendocino to provide continuing protection and enhancement of its coastal resources. It is recognized that certain resource areas in this jurisdiction will require public attention to ensure their protection and enhancement, such as degraded or less than pristine wetlands of any size, ...[and] sensitive coastal resource areas which are suffering some form of deterioration..." (Page 46).

**CONSISTENCY WITH CONSERVANCY'S 2007
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 2, Objective B** of the Conservancy's 2007 Strategic Plan, the proposed project enhances a waterfront park in coordination with a non-profit partner.

**CONSISTENCY WITH CONSERVANCY'S
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on June 4, 2009, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** The project enjoys broad public support. Supporters include Mendocino County Supervisor Kendall Smith, Jughandle Creek Farm and Nature Center, Mendocino County Planning Department, Coastwalk, and the Westport Municipal Advisory Council.
4. **Location:** The proposed project is located within the coastal zone of Mendocino County.
5. **Need:** The project will not occur without Conservancy funding. The beach will remain open, but stewardship activities will cease and volunteer efforts may end or decline without coordination. Restrooms will not be provided and beach cleanup will revert to occasional volunteer efforts. Signage, trails and erosion control will be deferred.
6. **Greater-than-local interest:** The Mendocino coast is a statewide, national, and international visitor destination. Seaside Beach is located along world renowned Highway 1, and is suitable for observing migrating whales during part of the year as well as many types of marine birds. Seaside Beach also provides a valuable link in the California Coastal Trail. It is estimated that 175,000 visitors per year use this site.
7. **Sea level rise vulnerability:** While the project area is vulnerable to sea level rise, the project does not involve the installation of durable infrastructure, and therefore does not increase vulnerability to sea level rise.

Additional Criteria

8. **Urgency:** No organized cleanup and no restrooms will be provided at Seaside Beach over the next two years if the project does not go forward, resulting in a decline in the quality of public coastal access.
9. **Leverage:** See the "Project Financing" section above.

10. **Readiness:** CoLT has systems in place to manage volunteers and operate and maintain the beach and can begin to do so immediately.
11. **Cooperation:** Volunteers and the Jughandle Creek Farm and Nature Center will contribute to the project.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The proposed project is consistent with the Mendocino County Local Coastal Program, (certified in 1992) and with the Coastal Element of the Mendocino County General Plan as follows:

Local Coastal Program Policy 3.6-22 states: “In carrying out the coastal access policies of this Coastal element, the county or other appropriate designated management agency shall consider and encourage the utilization of innovative access management techniques including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.” Consistent with this policy, this project would allow CoLT to manage access at Seaside Beach and to the small beach accessed by the Heritage Trail.

Shoreline Access Policy No. 3.6-6 states in relevant part: “Shoreline access points shall be at frequent rather than infrequent intervals for the convenience of both residents and visitors and to minimize impacts on marine resources at any one point.” Consistent with this policy, access at Seaside Beach and at the beach accessed by the Heritage Trail maintains two additional shoreline access points.

COMPLIANCE WITH CEQA:

Funding for the ongoing operation and maintenance of Seaside Beach and the Heritage Trail is categorically exempt from CEQA review pursuant to 14 Cal. Code of Regulations Sections 15301, 15303 and 15304. Section 15301 exempts the operation, maintenance, or minor alteration of existing public or private structures, facilities, or topographical features, involving negligible or no expansion of use. This exemption applies to CoLT’s proposed maintenance of the trails and replacement of the damaged signs. Section 15304 exempts minor alternations of land and vegetation, including the removal of non-native plant species degrading natural resources. This exemption applies to the proposed removal of invasive plants and planting of native vegetation. Section 15303 exempts construction and location of limited numbers of new, small facilities or structures. This section applies to the placement of the temporary restroom facilities. Thus, all of CoLT’s proposed operation and maintenance activities are exempt from CEQA review.

Upon Conservancy approval, staff will file a Notice of Exemption.